

REMARKS

Applicant hereby traverses the outstanding objection and rejections, and requests reconsideration and withdrawal in light of the remarks contained herein. Claims 21-44 are pending in this application.

Doubling Patenting

Claims 21-44 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of U.S. Patent No. 6,681,089 B2.

In response to the rejection, Applicant has included a Terminal Disclaimer that is believed to be in compliance with 37 C.F.R. 1.321(b).

Therefore, Applicant respectfully submits that the rejections should be withdrawn.

In view of the above remarks and arguments, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10013566-4, from which the undersigned is authorized to draw.

Dated: October 28, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482736515US, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 28, 2004

Signature: 

Phyllis Ewing

Respectfully submitted,

By 

Michael A. Papalas

Registration No.: 40,381

Attorney for Applicant

(214) 855-8186